

SEP 29 2004

Edward J. McNatt

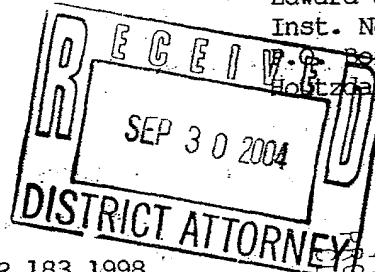
Edward J. McNatt

Inst. No. DL-6772

P.O. Box 1000

Holtzdale, PA 16698

9-30-04 copy to:  
✓ PA  
William Cisek, Esq.  
Honorable Judge Lobaugh  
c/o Judge's Chambers  
Venango County Courthouse  
Franklin, PA 16323

RE: CR 182; CR 183 1998

Honorable Judge Lobaugh:

I have just got off of the phone with the Attorney that you issued me, for my PCRA (William Cisek, Esq.), and he informed me that you are probably going to dismiss my PCRA as being untimely filed.

Sir, in all due respect, I did not forge any check in Venango County and I made this known to the Public Defender, Mr. Hindman, prior to any plea. Mr. Hindman told me that it did not matter where the check was forged because of the fact it was issued in Venango County, it constituted a forgery. This new attorney you gave me for my PCRA is agreeing with this. It does matter where the check(s) were forged. Also, the fact that I was on mind altering medication, I did not willingly or knowingly enter any plea. A new PA. Supreme Court ruling, Commonwealth v. Cruz, declares that, mental incompetence qualifies as after discovered evidence and circumvents the 1 year limitation to file a PCRA. I sent the case to my attorney within the 60 days I have to file on this. I asked him to add it to my PCRA. He told me that he has not filed anything yet. Your Honor, those 60 days are just about up.

Judge Lobaugh, all I am asking for is to have the forgery removed from my sentence and be resentenced to time served on the theft by deception and released from incarceration. There is evidence that proves that I forged those checks somewhere other than Venango County. I have already served 6 years of the 12 year sentence that you gave me. I am not asking for anything more than my freedom.

After you sentenced me, I told Mr. Hindman that I wanted him to appeal the plea and you told him that he had 10 days in which to appeal. He filed nothing on my behalf.

Your Honor, I am now free of all medication and have dealt with all of the issues which has caused me to behave in a manner which was against the law. I

have a son out there who is now 7 years old and I have not even held him once. I know that I should not of committed any crime anywhere and I am truly sorry for the hurt and pain I have caused others. All I want to do is reunite with my son and his mother and work hard so that I will be the productive member of society that I now know I can be. I do have a good job when I get out and I fully intent to finish paying off the balance I owe for the checks I submitted in your county.

Sir, all I am asking for is a hearing on the matter of the forgery as soon as possible.

Thank you for your time and concern on this matter. I look forward to hearing from you soon.

Respectfully Submitted,

Edward J. McRatt

C.C: inmate file

Dated this 24 day of September 2004.

Edward J. McRatt